

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**CARL WARD,** )  
 )  
**Plaintiff,** )  
 )  
v. )      **Case No. 3:19-cv-00484**  
 )      **Judge Aleta A. Trauger**  
**NPAS, INC.,** )  
 )  
**Defendant.** )

**ORDER**

Before the court is defendant NPAS, Inc.'s Renewed Motion for Summary Judgment, or, in the Alternative, Motion to Dismiss for Lack of Standing (Doc. No. 90), to which the plaintiff has filed a Response (Doc. No. 93).

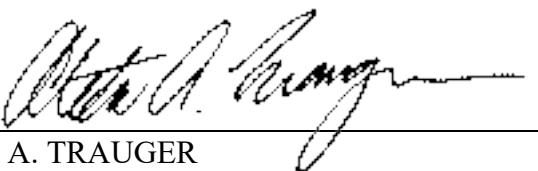
The alternative Motion to Dismiss the Second Amended Complaint for lack of standing is **DENIED** for the reasons articulated in the court's October 29, 2021 Memorandum (Doc. No. 87) accompanying the Order (Doc. No. 88) granting plaintiff Carl Ward's post-appeal, post-judgment Motion to Alter or Amend Judgment under Rule 59 and/or for Relief from Judgment Under Rule 60 Seeking Leave to File Amended Complaint (Doc. No. 84), which the court construed as a Rule 59(e) motion to alter judgment and a Rule 15(a) motion to amend the complaint. Based on the analysis set forth in that Memorandum, the court again finds that the allegations in the Second Amended Complaint are sufficient to establish the plaintiff's standing to bring his claims under the Fair Debt Collection Practices Act.

The Renewed Motion for Summary Judgment, however, is **GRANTED**, and this case is **DISMISSED**, for the same reasons set forth in the court's July 27, 2020 Memorandum (Doc. No.

60) accompanying the Order (Doc. No. 61) granting the defendant's first Motion for Summary Judgment. The court is not persuaded by the new arguments raised in the plaintiff's Response to the renewed Motion for Summary Judgment regarding when a debt should be deemed to be "in default."

It is so **ORDERED**.

This is the final order in this case, and the Clerk shall enter judgment in accordance with Rule 58 of the Federal Rules of Civil Procedure.



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ALETA A. TRAUGER  
United States District Judge